

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of

**Domino Networks Communications, Inc.**

Application for Global Authority Pursuant to  
Section 214 of the Communications Act  
of 1934, as amended, to Operate as an  
International Facilities-Based and Resale Carrier  
Between the United States and Various  
International Points

File No. ITC-214-2000-

**APPLICATION**

Domino Networks Communications, Inc. ("Applicant"), by its undersigned counsel, hereby requests global facilities-based authority and global resale authority, under Section 214 of the Communications Act of 1934, as amended (the "Act"), 47 U.S.C. § 214, and Section 63.18 of the Commission's Rules, 47 C.F.R. § 63.18, to provide international telecommunications services between the United States and international points.

**I. THE APPLICANT**

Domino Networks Communications, Inc. is a corporation organized under the laws of the State of Delaware. Applicant is not a foreign carrier and is not affiliated, within the meaning of Section 63.09(e) of the Commission's Rules, 47 C.F.R. § 63.09(e), with any foreign carrier. Accordingly, the Applicant qualifies for the presumption of non-dominance under Section 63.10(a)(3) of the Commission's Rules, 47 C.F.R. § 63.10(a)(3), and its application is eligible for streamlined processing.

## **II. PUBLIC INTEREST CONSIDERATIONS**

By granting this application, the Commission will serve the public interest, convenience and necessity by promoting competition in the international service market. Competition will benefit U.S. consumers by increasing service options and lowering prices. Thus the public interest will be served by grant of Section 214 authority to Domino Networks Communications, Inc.

## **III. INFORMATION REQUIRED BY SECTION 63.18**

Domino Networks Communications, Inc. submits the following information, as required by Section 63.18 of the Commission's Rules, in support of its request for Section 214 authorization:

- (a) Name, address and telephone number of Applicant:

Domino Networks Communications, Inc.  
2950 Gallows Road  
Falls Church, VA 22042  
Tel: 703-641-6000  
Fax: 703-641-6394

- (b) Applicant is incorporated under the laws of the State of Delaware.

- (c) Correspondence concerning this application should be sent to:

Russell M. Blau  
SWIDLER BERLIN SHEREFF FRIEDMAN, LLP  
3000 K Street, N.W., Suite 300  
Washington, D.C. 20007  
Tel: (202) 424-7835  
Fax: (202) 424-7645

with a copy to:

Liran Gordon  
Domino Networks Communications, Inc.  
2950 Gallows Road  
Falls Church, VA 22042  
Tel: (703) 641-6314  
Fax: (703) 641-6095

- (d) Applicant has not previously received authority under Section 214 of the Act. Upon grant of this Application, Domino Networks Communications, Inc. will become an authorized non-dominant facilities-based carrier and reseller with global authority, pursuant to Section 214 of the Act and the Commission's Rules.
- (e) (1) Applicant requests Section 214 authority to operate as a facilities-based carrier pursuant to Section 63.18(e)(1) of the Commission's Rules. Domino Networks Communications, Inc. requests such authorization for all international routes authorized by the Commission. Applicant certifies that it will comply with the terms and conditions of Sections 63.21 and 63.22 of the Commission's Rules.
- (2) Applicant also requests Section 214 authority to resell the international services of authorized U.S. common carriers pursuant to Section 63.18(e)(2) of the Commission's Rules. Applicant requests such authorization for all international routes authorized by the Commission. Applicant certifies that it will comply with the terms and conditions contained in Section 63.21 and 63.23 of the Commission's Rules.
- (f) Applicant seeks the authority to provide only the services referenced under paragraph (e) of Section 63.18 of the Commission's Rules.
- (g) Because Domino Networks Communications, Inc. is not seeking facilities-based authority pursuant to Section 63.18(e)(4) of the Commission's Rules, this Section is not applicable.
- (h) Information regarding Domino Networks Communications, Inc.'s 10% or greater direct or indirect shareholders is as follows:

Name: Domino Networks, Inc.  
Address: 2950 Gallows Road  
Falls Church, VA 22042  
Percentage Held: 100%  
Citizenship: U.S.A.  
Principal Business: Telecommunications

Information regarding Domino Networks, Inc.'s 10% or greater direct or indirect shareholders is as follows:

Name: BroadBand Office, Inc.  
Address: 951 San Mariner's Island Blvd.  
Suite 700  
San Mateo, CA 94404  
Percentage Held: 100%  
Citizenship: U.S.A.  
Principal Business: Telecommunications

Information regarding BroadBand Office, Inc.'s 10% or greater direct or indirect shareholders is as follows:

Name: Kleiner Perkins Caulfield Byers  
Address: 2750 Sand Hill Road  
San Mateo, CA 94025  
Percentage Held: 23.9%  
Citizenship: U.S.A.  
Principal Business: Venture Capital

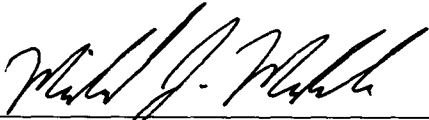
Domino Networks Communications, Inc. certifies that it does not have any interlocking officers or directors.

- (i) Domino Networks Communications, Inc. certifies that it is neither a foreign carrier nor affiliated with any foreign carrier.
- (j) Domino Networks Communications, Inc. seeks to provide international telecommunications services to all global points, except those points on the Commission's Exclusion List. Applicant is not a foreign carrier or affiliated with a foreign carrier.
- (k) Given that the Applicant is not affiliated with any foreign carriers, this Section is not applicable.
- (l) Given that the Applicant is not affiliated with any foreign carriers, this Section is not applicable.
- (m) As described above, the Applicant presumptively qualifies for non-dominant treatment for the provision of all international telecommunications services.
- (n) The Applicant certifies that it has not agreed to accept special concessions directly or indirectly from any foreign carrier where the foreign carrier possesses market power on the foreign end of the route and will not enter into such agreements in the future.
- (o) The Applicant certifies, pursuant to Sections 1.2001 through 1.2003 of the Commission's Rules (implementing the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 3301), that no party to its application is subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988.
- (p) The Applicant qualifies for streamlined processing pursuant to Section 63.12(a-b) of the Commission's Rules because, as set forth above in Section (1), Domino Networks Communications, Inc. qualifies for a presumption of non-dominance under Section 63.10(a)(1) of the Commission's Rules.

#### IV. CONCLUSION

For the reasons stated above, Domino Networks Communications, Inc. respectfully submits that the public interest, convenience, and necessity would be furthered by a grant of this Section 214 Application.

Respectfully submitted,

By:   
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Russell M. Blau  
Michael J. Mendelson  
SWIDLER BERLIN SHEREFF FRIEDMAN, LLP  
3000 K Street, N.W., Suite 300  
Washington, DC 20007  
Tel: (202) 424-7837  
Fax: (202) 424-7645


Counsel for Domino Networks Communications, Inc.

Dated: November 16, 2000

**CERTIFICATION OF APPLICANT**

On behalf of Domino Networks Communications, Inc., I hereby certify that the statements in the foregoing Application for Section 214 authority are true, complete, and correct to the best of my knowledge and are made in good faith.

**DOMINO NETWORKS COMMUNICAITONS, INC.**

By:   
Name: LIRAN GORDON  
Title: VICE PRESIDENT  
Date: 4/15/00